

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DELESTER LEE,

Petitioner,

v.

LEWIS BOYD,

Respondent.

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CIVIL ACTION 07-0586-WS-M

ORDER

After due and proper consideration of all pleadings in this file, and a *de novo* determination of those portions of the Recommendation to which objection is made, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that this action be **DISMISSED** as this Court does not have Jurisdiction in this matter.

DONE this 20th day of February, 2008.

s/WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE